

By: R. C. K.

H.B. No. 64

A BILL TO BE ENTITLED

AN ACT

relating to an exemption for certain irrigation systems from regulation under the electrician's licensing law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1305.003(a), Occupations Code, as added by Chapter 1062, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) This chapter does not apply to:

(1) the installation of electrical equipment in a ship, watercraft other than a floating building, railway rolling stock, aircraft, or a motor vehicle other than a mobile home or recreational vehicle;

(2) the installation of electrical equipment underground in a mine and in self-propelled mobile surface mining machinery and its attendant electrical trailing cable;

(3) the installation of electrical equipment for generation, transformation, transmission, or distribution of power used exclusively to operate railway rolling stock or exclusively for signaling and communications purposes;

(4) the installation, maintenance, alteration, or repair of communications equipment provided by a telecommunications provider;

(5) the installation, maintenance, alteration, or repair of electrical equipment under the exclusive control of an

1 electric utility, electric cooperative, or municipally owned
2 utility and used for communications or metering, or for the
3 generation, control, transformation, transmission, and
4 distribution of electrical energy, and located:

5 (A) in a building used exclusively by a utility
6 for those purposes;

7 (B) outdoors on property owned or leased by the
8 utility;

9 (C) on public highways, streets, roads, or other
10 public rights-of-way; or

11 (D) outdoors by established rights in vaults or
12 on private property;

13 (6) work not specifically regulated by a municipal
14 ordinance that is performed in or on a dwelling by a person who owns
15 and resides in the dwelling;

16 (7) work involved in the manufacture of electrical
17 equipment;

18 (8) electrical maintenance work if:

19 (A) the work is performed by a person regularly
20 employed as a maintenance person at the building or premises;

21 (B) the work is performed in conjunction with the
22 business in which the person is employed; and

23 (C) the person does not engage in electrical work
24 for the public;

25 (9) the installation, maintenance, alteration, or
26 repair of electrical equipment or associated wiring under the
27 exclusive control of a gas utility and used for communications or

1 metering or for the control, transmission, or distribution of
2 natural gas;

3 (10) thoroughfare lighting, traffic signals,
4 intelligent transportation systems, and telecommunications
5 controlled by a governmental entity;

6 (11) electrical connections supplying heating,
7 ventilation, and cooling and refrigeration equipment, including
8 any required disconnect exclusively for the equipment, if the
9 service is performed by a licensed air conditioning and
10 refrigeration contractor under Chapter 1302;

11 (12) the design, installation, erection, repair, or
12 alteration of Class 1, Class 2, or Class 3 remote control,
13 signaling, or power-limited circuits, fire alarm circuits, optical
14 fiber cables, or communications circuits, including raceways, as
15 defined by the National Electrical Code;

16 (13) landscape irrigation installers, as necessary to
17 perform the installation and maintenance of irrigation control
18 systems, and landscapers, as necessary to perform the installation
19 and maintenance of low-voltage exterior lighting and holiday
20 lighting excluding any required power source;

21 (14) a person who is employed by and performs
22 electrical work solely for a private industrial business, including
23 a business that operates a chemical plant, petrochemical plant,
24 refinery, natural gas plant, natural gas treating plant, pipeline,
25 or oil and gas exploration and production operation;

26 (15) the installation, maintenance, alteration, or
27 repair of elevators, escalators, or related equipment, excluding

1 any required power source, regulated under Chapter 754, Health and
2 Safety Code;

3 (16) the installation, maintenance, alteration, or
4 repair of equipment or network facilities provided or utilized by a
5 cable operator, as that term is defined by 47 U.S.C. Section 522, as
6 amended; ~~and~~

7 (17) the location, design, construction, extension,
8 maintenance, and installation of on-site sewage disposal systems in
9 accordance with Chapter 366, Health and Safety Code; and

10 (18) the installation and maintenance of center pivot
11 irrigation systems.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect January 15, 2004.

78TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form
in lieu of the front or the back of the original bill)

Bill or Resolution Number: HB64

Robby Cook
signature of primary author

Robby Cook
printed name of primary author

9-22-03
Date

PERMISSION TO SIGN HB64 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)

- ☒ ALL REPRESENTATIVES
☐ THE FOLLOWING REPRESENTATIVE(S): _____

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2115 Allen</u>	<u> </u> Date	<u>A2450 Cook, Byron</u>	<u> </u> Date	<u>A2795 Farabee</u>	<u> </u> Date
<u>A2125 Alonzo</u>	<u> </u> Date	<u>A2565 Cook, Robert "Robby"</u>	<u> </u> Date	<u>A2810 Farrar</u>	<u> </u> Date
<u>A2160 Bailey</u>	<u> </u> Date	<u>A2595 Corte</u>	<u> </u> Date	<u>A2840 Flores</u>	<u> </u> Date
<u>A2170 Baxter</u>	<u> </u> Date	<u>A2605 Crabb</u>	<u> </u> Date	<u>A2850 Flynn</u>	<u> </u> Date
<u>A2205 Berman</u>	<u> </u> Date	<u>A2610 Craddick</u>	<u> </u> Date	<u>A2920 Gallego</u>	<u> </u> Date
<u>A2230 Bohac</u>	<u> </u> Date	<u>A2640 Crownover</u>	<u> </u> Date	<u>A2925 Garza</u>	<u> </u> Date
<u>A2250 Bonnen</u>	<u> </u> Date	<u>A2620 Davis, John</u>	<u> </u> Date	<u>A2960 Gattis</u>	<u> </u> Date
<u>A2280 Branch</u>	<u> </u> Date	<u>A2625 Davis, Yvonne</u>	<u> </u> Date	<u>A2945 Geren</u>	<u> </u> Date
<u>A2265 Brown, Betty</u>	<u> </u> Date	<u>A2635 Dawson</u>	<u> </u> Date	<u>A2935 Giddings</u>	<u> </u> Date
<u>A2270 Brown, Fred</u>	<u> </u> Date	<u>A2680 Delisi</u>	<u> </u> Date	<u>A2985 Goodman</u>	<u> </u> Date
<u>A2255 Burnam</u>	<u> </u> Date	<u>A3385 Denny</u>	<u> </u> Date	<u>A2990 Goolsby</u>	<u> </u> Date
<u>A2295 Callegari</u>	<u> </u> Date	<u>A2690 Deshotel</u>	<u> </u> Date	<u>A3010 Griggs</u>	<u> </u> Date
<u>A2290 Campbell</u>	<u> </u> Date	<u>A2705 Driver</u>	<u> </u> Date	<u>A3020 Grusendorf</u>	<u> </u> Date
<u>A2350 Canales</u>	<u> </u> Date	<u>A2665 Dukes</u>	<u> </u> Date	<u>A3045 Guillen</u>	<u> </u> Date
<u>A2300 Capelo</u>	<u> </u> Date	<u>A2660 Dunnam</u>	<u> </u> Date	<u>A3030 Gutierrez</u>	<u> </u> Date
<u>A2490 Casteel</u>	<u> </u> Date	<u>A2650 Dutton</u>	<u> </u> Date	<u>A3035 Haggerty</u>	<u> </u> Date
<u>A2495 Castro</u>	<u> </u> Date	<u>A2770 Edwards</u>	<u> </u> Date	<u>A3050 Hamilton</u>	<u> </u> Date
<u>A2585 Chavez</u>	<u> </u> Date	<u>A2775 Eiland</u>	<u> </u> Date	<u>A2695 Hamric</u>	<u> </u> Date
<u>A2480 Chisum</u>	<u> </u> Date	<u>A2780 Eissler</u>	<u> </u> Date	<u>A3160 Hardcastle</u>	<u> </u> Date
<u>A2525 Christian</u>	<u> </u> Date	<u>A2785 Elkins</u>	<u> </u> Date	<u>A3165 Harper-Brown</u>	<u> </u> Date
<u>A2435 Coleman</u>	<u> </u> Date	<u>A2790 Ellis</u>	<u> </u> Date	<u>A3170 Hartnett</u>	<u> </u> Date

A3180 Heflin	Date	A3715 Madden	Date	A4220 Riddle	Date
A3190 Hegar	Date	A3750 Marchant	Date	A4250 Ritter	Date
A3250 Hilderbran	Date	A2835 Martinez Fischer	Date	A4270 Rodriguez	Date
A3275 Hill	Date	A3665 McCall	Date	A4350 Rose	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4420 Seaman	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4525 Smith, Todd	Date
A3325 Homer	Date	A3830 Menendez	Date	A4540 Smith, Wayne	Date
A3320 Hope	Date	A3815 Mercer	Date	A4530 Smithee	Date
A3330 Hopson	Date	A3840 Merritt	Date	A4550 Solis	Date
A3315 Howard	Date	A3835 Miller	Date	A4505 Solomons	Date
A3340 Hughes	Date	A3855 Moreno, Joe	Date	A4560 Stick	Date
A3355 Hunter	Date	A3860 Moreno, Paul	Date	A4570 Swinford	Date
A3360 Hupp	Date	A3870 Morrison	Date	A4585 Talton	Date
A3375 Isett	Date	A3865 Mowery	Date	A4600 Taylor	Date
A3405 Jones, Delwin	Date	A3885 Naishtat	Date	A4605 Telford	Date
A3420 Jones, Elizabeth	Date	A3895 Nixon	Date	A4630 Thompson	Date
A3400 Jones, Jesse	Date	A3900 Noriega	Date	A4650 Truitt	Date
A3475 Keel	Date	A3880 Oliveira	Date	A4685 Turner	Date
A3410 Keffer, Bill	Date	A3886 Olivo	Date	A4695 Uresti	Date
A3480 Keffer, Jim	Date	A4100 Paxton	Date	A4700 Van Arsdale	Date
A3470 King	Date	A4140 Pena	Date	A4800 Villarreal	Date
A3495 Kolkhorst	Date	A4160 Phillips	Date	A4995 West	Date
A3485 Krusee	Date	A4180 Pickett	Date	A5000 Wilson	Date
A3450 Kuempel	Date	A4185 Pitts	Date	A5020 Wise	Date
A3510 Laney	Date	A4200 Puente	Date	A5015 Wohlgemuth	Date
A3540 Laubenberg	Date	A4230 Quintanilla	Date	A4980 Wolens	Date
A3605 Lewis	Date	A4240 Rangel	Date	A4985 Wong	Date
A3620 Luna	Date	A4215 Raymond	Date	A5005 Woolley	Date
A3700 Mabry	Date	A4236 Reyna	Date	A5150 Zedler	Date

H.B. No. 64

By P. Cook

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SEP 22 2003

Filed with the Chief Clerk

SEP 24 2003

Read first time and referred to Committee on Licensing & Administrative Procedures

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays

Read third time, _____, and passed by (a viva voce vote)
(yeas, nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)